

**2007 No. 3487**

**ROAD TRAFFIC, ENGLAND**

**The Civil Enforcement of Parking Contraventions (Guidelines  
on Levels of Charges) (England) Order 2007**

|                               |         |                           |
|-------------------------------|---------|---------------------------|
| <i>Made</i>                   | - - - - | <i>10th December 2007</i> |
| <i>Laid before Parliament</i> |         | <i>14th December 2007</i> |
| <i>Coming into force</i>      | - -     | <i>20th January 2008</i>  |

The Secretary of State for Transport makes the following Order in exercise of the power conferred by paragraph 8 of Schedule 9 to the Traffic Management Act 2004(a).

**Citation, commencement, interpretation and application**

1.—(1) This Order may be cited as the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 and shall come into force on 20th January 2008.

(2) In this Order “the General Regulations” means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007(b).

(3) This Order applies only to England.

**Guidelines**

2. The guidelines given by the Secretary of State, as appropriate national authority for England, for the setting by enforcement authorities outside Greater London of the level of charges for parking contraventions are those set out in the Schedule.

Signed by authority of the Secretary of State for Transport

10th December 2007

*Rosie Winterton*  
Minister of State  
Department for Transport

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(a) 2004 c. 18.  
(b) S.I. 2007/3483.

**GUIDELINES FOR THE SETTING BY ENFORCEMENT  
AUTHORITIES OUTSIDE GREATER LONDON OF CHARGES FOR  
PARKING CONTRAVENTIONS**

**Scope of guidelines**

1. These guidelines apply to the setting by enforcement authorities outside Greater London—
- (a) of penalty charges and charges for release from immobilisation devices to be imposed by such authorities under the General Regulations; and
  - (b) of charges for removal, storage and disposal to be made by such authorities under section 102 of the Road Traffic Regulation Act 1984(a),

in respect of vehicles found on or after 31st March 2008 in civil enforcement areas for parking contraventions.

**Penalty charges**

- 2.—(1) Penalty charges for parking contraventions must be set—
- (a) for higher level contraventions, at the level specified in column (2) of one of the bands in table 1; and
  - (b) for all other contraventions, at the level specified in column (3) of the band selected for higher level contraventions.

(2) The discounted level for a penalty charge which is paid early (that is within 21 days in the case of penalty charges imposed on the basis of a record produced by an approved device under regulation 10(1)(a) of the General Regulations and 14 days in all other cases) must be set—

- (a) for higher level contraventions, at the level specified in column (4);
- (b) for all other contraventions, at the level set in column (5),

of the band specifying the levels of the penalty charges.

(3) The surcharged level for payment of a penalty charge after a charge certificate has been issued must be set—

- (a) for higher level contraventions at the level specified in column (6);
- (b) for all other contraventions at the level specified in column (7),

of the band specifying the levels of the penalty charges.

**Table 1**

| <i>(1)</i>  | <i>(2)</i>                         | <i>(3)</i>                        | <i>(4)</i>                                    | <i>(5)</i>                                   | <i>(6)</i>  | <i>(7)</i>   |
|-------------|------------------------------------|-----------------------------------|---|--|---|--|
| <i>Band</i> | <i>Higher level penalty charge</i> | <i>Lower level penalty charge</i> | <i>Higher level penalty charge paid early</i> | <i>Lower level penalty charge paid early</i> | <i>Higher level penalty charge paid after service of charge certificate</i> | <i>Lower level penalty charge paid after service of charge certificate</i> |
| 1.          | £60                                | £40                               | £30   | £20  | £90   | £60  |
| 2.          | £70                                | £50                               | £35   | £25  | £105  | £75  |

(a) 1984 c. 27; section 120 was amended by the Local Government Act 1985 by the Road Traffic Act 1991 (c. 40) section 68 and Schedule 8

(4) An enforcement authority may set penalty charges in accordance with different bands in the table in different parts of its area, provided that all the charges in each part of its area are set in accordance with the same band.

(5) “Higher level contraventions” are those falling within one or more of the descriptions of contravention listed in column (2) of table 2 (on street contraventions) or table 3 (off street contraventions), being descriptions based on Version 6.5 of the Standard PCN Codes used by local authorities engaged in parking enforcement and have the code number shown in column (1) of that table.

**Table 2**

| <i>(1) Code</i> | <i>(2) Description</i>   |
|-----------------|--|
| 01              | Parked in a restricted street during prescribed hours  |
| 02              | Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force   |
| 12              | Parked in a residents’ or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place |
| 14              | Parked in an electric vehicles’ charging place during restricted hours without charging  |
| 16              | Parked in a permit space without displaying a valid permit   |
| 18              | Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited                                 |
| 20              | Parked in a loading gap marked by a yellow line  |
| 21              | Parked in a suspended bay/space or part of bay/space   |
| 23              | Parked in a parking place or area not designated for that class of vehicle   |
| 25              | Parked in a loading place during restricted hours without loading  |
| 26              | Vehicle parked more than 50 centimetres from the edge of the carriageway and not within a designated parking place                                       |
| 27              | Parked adjacent to a dropped footway   |
| 40              | Parked in a designated disabled person’s parking place without clearly displaying a valid disabled person’s badge  |
| 41              | Parked in a parking place designated for diplomatic vehicles   |
| 42              | Parked in a parking place designated for police vehicles   |
| 45              | Parked on a taxi rank  |
| 46              | Stopped where prohibited (on a red route or clearway)  |
| 47              | Stopped on a restricted bus stop or stand  |
| 48              | Stopped in a restricted area outside a school  |
| 49              | Parked wholly or partly on a cycle track   |
| 55              | A commercial vehicle parked in a restricted street in contravention of an overnight waiting ban  |
| 56              | Parked in contravention of a commercial vehicle waiting restriction  |
| 57              | Parked in contravention of a coach ban   |
| 61              | A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways  |
| 62              | Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)   |
| 99              | Stopped on a pedestrian crossing and/or crossing area marked by zig-zags   |

**Table 3**

| <i>(1) Code</i> | <i>(2) Description</i>   |
|-----------------|--|
| 70              | Parked in a loading area during restricted hours without reasonable excuse   |
| 74              | Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited |
| 81              | Parked in a restricted area in a car park  |
| 85              | Parked in a permit bay without clearly displaying a valid permit   |
| 87              | Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge                   |
| 89              | Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area                                  |
| 91              | Parked in a car park or area not designated for that class of vehicle  |
| 92              | Parked causing an obstruction  |

### **Charges for the removal, storage and disposal of vehicles**

3. Charges for the removal, storage and disposal of vehicles found in a civil enforcement area must be those in table 4.

**Table 4**

| <i>(1)<br/>Item</i> | <i>(2)<br/>Type of charge</i> | <i>(3)<br/>Amount of charge</i>   |
|---------------------|-------------------------------|---|
| 1.                  | Vehicle removal charge        | £105.00   |
| 2                   | Vehicle storage charge        | £12 for each day, or part of day, during which the vehicle is impounded |
| 3.                  | Vehicle disposal charge       | £50.00  |

### **Release of vehicle from an immobilisation device under Section 79 of the Traffic Management Act 2004**

4. The charge payable under regulation 14(2)(b) of the General Regulations for the release of a vehicle from an immobilisation device must be £40.

### **Saving for powers of the Secretary of State**

5. Nothing in these guidelines prejudices or affects the power of the Secretary of State, under paragraph 8(3) of Schedule 9 to the Traffic Management Act 2004, to permit an enforcement authority to depart from these guidelines.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Part 3 (paragraphs 7 to 9) of Schedule 9 to the Traffic Management Act 2004 provides for the setting by enforcement authorities outside Greater London of the levels of charges under Part 6 of that Act (civil enforcement of traffic contraventions) and requires those levels to accord with guidelines given by the appropriate national authority, except where that authority permits an enforcement authority to depart from the guidelines.

By this Order the Secretary of State for Transport, as appropriate national authority for England, gives to English enforcement authorities outside Greater London the guidelines on charges for parking contraventions set out in the *Schedule*. The guidelines govern the setting of charges which will apply from 31st March 2008.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from Traffic Management Division, Department for Transport, 2/06 Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone 020 7944 8692) and can be found on the website of the Department for Transport at [www.dft.gov.uk/](http://www.dft.gov.uk/).

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